

PRELIMINARY ACTION AGENDA  
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council  
January 17, 2012

Lake Forest City Hall  
25550 Commercentre Drive  
Council Chambers  
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER:

5:35 p.m.

ROLL CALL: Council Members:

Peter Herzog  
Marcia Rudolph  
Mark Tettemer (Absent)  
Scott Voigts  
Kathryn McCullough

Mayor Pro Tem:

Mayor:

City Manager:

City Attorney:

City Clerk:

Robert C. Dunek  
Scott C. Smith  
Stephanie D. Smith

CLOSED SESSION (F: 0410-30)

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Existing Litigation

Number of Cases: 4

City of Lake Forest v. Moen, et al. (Consolidated OCSC Case No. 30-2009-00298887)

City of Lake Forest v. Pharmer's Choice Collective, et al. (OCSC Case No. 30-2010-00435043)

City of Lake Forest v. World Cann Wellness Center (OCSC Case No. 30-2011-00455359)

City of Lake Forest v. Charles Café (OCSC Case No. 30-2011-515872)

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: APN 612-163-03  
Agency negotiators: City Manager and City Attorney  
Negotiating parties: Property Owner of Record  
Under Negotiation: Price and Terms of Payment
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9  
Property: APN 612-022-10  
Name of Case: City of Lake Forest v. Alexander S. Rados as Trustee of the Alexander S. Rados Trust, et al.  
(OCSC Case No. 30-2011-00506646)

ACTION: Conducted Closed Session.

RECESS: City Council recessed at 6:50 p.m. from Closed Session for the purpose of conducting regular City business.

RECONVENE: City Council reconvened at 7:03 p.m., with Council Member Tettemer absent to continue regular City business.

## PUBLIC SESSION

### PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Boy Scout Troop No. 808 on behalf of Council Member Mark Tettemer who was absent.

### CLOSED SESSION REPORT: (F: 0410-30)

City Attorney Smith stated there was no reportable action.

### PRESENTATIONS:

There were no items scheduled for Presentation.

### REPORT FROM STUDENT LIAISON:

Lauren Myering provided the report on behalf of Alice Hackett, Student Liaison, followed by comments from Dr. Allan J. Mucerino, Principal, El Toro High School.

RECESS: City Council recessed at 7:25 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:44 p.m., with Council Member Tettemer absent to continue regular City business.

PUBLIC COMMENTS: (F: 0410-35)

The following members of the public offered comments: Terry Parker, Linde Raccuglia, and Scott Rynders.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 4)

4. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 0300-30)

Council Member Rudolph pulled the following warrants for separate consideration: Association of California Cities – Orange County, American Home Builders, and California Association of Code Enforce Officers.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council approved the balance of the warrant register as submitted. MOTION CARRIED with Council Member Tettemer absent.

Council Member Rudolph asked for an explanation for the warrant payable to American Home Builders.

Staff reported it was to match an existing stucco color.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council approved the warrant payable to American Home Builders. MOTION CARRIED with Council Member Tettemer absent.

Council Member Rudolph expressed her objections of the approval for the warrant payable to Association of California Cities – Orange County.

Council Member Rudolph made a motion to oppose payment of the warrant payable to Association of California Cities – Orange County. There was no second.

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council continued the warrant payable to Association of California Cities – Orange County to the Council meeting of February 7, 2012. MOTION CARRIED with Council Member Tettemer absent.

Council Member Rudolph asked for the complete warrant name of California Association.

Staff reported the warrant is for California Association of Code Enforcement Officers.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council approved the warrant payable to California Association of Code Enforcement Officers. MOTION CARRIED with Council Member Tettemer absent.

#### CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 5 - 12)

ACTION: On motion by Council Member Herzog and second by Mayor Pro Tem Voigts, the City Council approved the Consent Calendar Item Nos. \*5-10, and \*12. MOTION CARRIED with Council Member Tettemer absent.

- \*5. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: The City Council approved the reading by title of all Ordinances and Resolutions. Said Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

- \*6. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON DECEMBER 20, 2011 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- \*7. FOURTH QUARTER COMMISSION ATTENDANCE REPORT submitted by City Clerk. (F: 0120-05)

ACTION: The City Council approved the Commission absences as excused.

- \*8. CARRYOVER REVENUES AND APPROPRIATIONS submitted by

Director of Finance/City Treasurer. (F: 0330-75)

ACTION: The City Council adopted Resolution No. 2014-04 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 2011-12 AND THE CAPITAL IMPROVEMENT PROJECTS BUDGET FOR 2011-13.

- \*9. MONTHLY TREASURER'S REPORT - DECEMBER submitted by Director of Finance/City Treasurer. (F: 0320-70)

ACTION: The City Council received and filed the report as submitted.

- \*10. THIRD AMENDMENT TO AGREEMENT WITH CIVILSOURCE FOR CONTRACT ADMINISTRATION AND CONSTRUCTION INSPECTION SERVICES submitted by Interim Director of Public Works/City Engineer. (F: 0400-10)

ACTION: The City Council: 1. Approved the Third Amendment to the Agreement with CivilSource to continue providing contract administration and construction inspection services for various Capital Improvement Projects. 2. Authorized the Mayor to sign, and the City Clerk to attest, the third agreement amendment with CivilSource, substantially in the form attached.

- \*12. TRAFFIC SIGNAL SYNCHRONIZATION PROJECT GRANT APPLICATIONS submitted by Interim Director of Public Works/City Engineer. (F: 0860-55)

ACTION: The City Council: 1. Approved Resolution No. 2012-05 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, APPROVING THE SUBMISSION OF THREE IMPROVEMENT PROJECTS TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM. 2. Authorized the Director of Public Works/City Engineer to send a certified copy of the Resolution for the City of Lake Forest, to the lead agency cities of Mission Viejo, Laguna Hills, and Rancho Santa Margarita.

#### PULLED CONSENT CALENDAR ITEM:

- 11. AGREEMENT FOR STREET SWEEPING SERVICES submitted by

Interim Director of Public Works/City Engineer. (F: 0400-10)

A member of the public pulled this item for separate consideration.

The following members of the public offered comments: Patty Ricard, Helen Wilson, Claude Makin, John Heinaman, Kathy Zechmeister, Andrea Howhannesian, Debbie Kaye, John Howhannesian, and Heike Peschel.

Staff report dated January 17, 2012 was introduced.

Council discussion ensued.

ACTION: On motion by Council Member Rudolph and second by Mayor Pro Tem Voigts, the City Council: 1. Approved an agreement in the amount of \$292,326.24 with Athens Services, Inc., of the City of Industry, California, to provide street sweeping services. 2. Authorized the Mayor to sign, and the City Clerk to attest, the agreement with Athens Services, Inc., substantially in the form attached. MOTION CARRIED with Council Member Herzog opposing and Council Member Tettemer absent.

#### DISCUSSION/ACTION ITEMS:

13. REVIEW OF PRE-APPLICATION SUBMITTAL FOR THE PROPOSED "TOWN CENTRE RESIDENTIAL" DEVELOPMENT PROJECT submitted by Assistant City Manager. (F: 0600-90)

Staff report dated January 17, 2012 was introduced.

The following members of the public offered comments: Kate Klimow, Heiko Peschel, James O'Malley, Dave Bartlett,

Council discussion ensued.

ACTION: On motion by Council Member Herzog and second by Council Member Rudolph, the City Council approved Option Two proposed by staff for Trumark Homes, submittal of filing of formal applications for a General Plan Amendment, Zone Change, and Site Development Permit, and commencement of negotiations of a Development Agreement. MOTION CARRIED with Council Member Tettemer absent.

14. POTENTIAL STUDY ITEMS FOR THE PROPOSED "FOOTHILL RANCH VILLAGE" RESIDENTIAL PROJECT submitted Assistant City

Manager. (F: 0600-90)

Staff report dated January 17, 2012 was introduced.

The following members of the public offered comments: James O'Malley, Tim Sullivan, Dave Bartlett, Stan Hoffman, and Boyd Martin.

Council discussion ensued.

RECESS: The City Council recessed at 9:45 p.m.

RECONVENED: The City Council reconvened at 9:54 p.m.

ACTION: On motion by Council Member Herzog and second by Council Member Rudolph, the City Council requested staff to complete the recommended market demand and fiscal impact studies for Council's review. MOTION CARRIED with Council Member Tettemer absent.

15. TRANSFER OF AFFORDABLE HOUSING FUNCTIONS FROM THE LAKE FOREST REDEVELOPMENT AGENCY TO THE LAKE FOREST HOUSING AUTHORITY submitted by Assistant City Manager/Deputy Executive Director. (This item is companion to Housing Authority Agenda Item No. 3). (F: 0660-10)

ACTION: On motion by Council Member Herzog and second by Mayor McCullough, the City Council: 1. Adopted Resolution No. 2012-06 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, ELECTING NOT TO RETAIN THE HOUSING ASSETS AND FUNCTIONS PREVIOUSLY PERFORMED BY THE LAKE FOREST REDEVELOPMENT AGENCY AND TRANSFERRING THEM AND ALL RIGHTS, POWERS, DUTIES, AND OBLIGATIONS OF THE LAKE FOREST REDEVELOPMENT AGENCY TO THE LAKE FOREST HOUSING AUTHORITY. MOTION CARRIED with Council Member Tettemer absent.

16. DEVELOPMENT OF A NEW LAKE FOREST ECONOMIC DEVELOPMENT STRATEGY submitted by Assistant City Manager. (F: 0120-70-85)

Staff report dated January 17, 2012 was introduced.

Council discussion ensued.

ACTION: The City Council provided input on the draft scope of work for a new Economic Development Strategy that would guide the City's current and long-term business development and attraction efforts.

17. VIDEO RECORDING OF CITY COUNCIL MEETINGS submitted by Deputy City Manager/Director of Management Services. (F: 0410-12)

ACTION: The City Council continued the item until the February 7, 2012 City Council meeting.

18. LEGISLATIVE AND REGULATORY MATTERS submitted by Assistant to City Manager. (F: 0480-75)

ACTION: The City Council continued the item until the February 7, 2012 City Council meeting.

19. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES, ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY AND/OR THE ORANGE COUNTY CITY SELECTION COMMITTEE submitted by City Clerk. (F: 0410-20)

ACTION: The City Council continued this item until the February 7, 2012 City Council meeting.

#### CITY MANAGER'S REPORT:

City Manager Dunek presented no comments.

#### CITY COUNCIL COMMENTS:

Council Member Herzog offered no comments.

Council Member Rudolph offered no comments.

Council Member Tettemer offered no comments.

Mayor Pro Tem Voigts offered no comments.

Mayor McCullough offered no comments.

#### CONTINUED CLOSED SESSION:

There was no continued Closed Session.



ADJOURNMENT: 10:32 p.m.